

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 08-11-06**

Date Published: October 30, 2008  
For Work Week Commencing: November 3, 2008  
Commission Meeting: November 6, 2008, 9:00 a.m.

*General Introduction* *This agenda is the Commission's Utility Division agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.*

*Place of Meetings* *All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.*

*Live webcast* *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.*

*Inquiries* *General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.*

*Accommodation for Persons with Disabilities* *Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.*

**9:00 a.m. Weekly Scheduling** (Commission Conference Room – No Web Audio Feed)

**9:30 a.m. Business** (Bollinger Room)

**Public Comments**

**Action Items** All items identified below are for action at the Commission business meeting.

**Work Sessions** All items identified below are for Commission discussion or action on the day designated.

1. Placeholder – D2004.7.99, D2004.12.192, D2005.6.106 – NorthWestern Energy natural gas and electric USB dockets - Discuss and act on any interim decisions that need to be made for the upcoming heating season, pending a final order in these consolidated dockets. (11/6/08)
2. D2008.7.88 – NorthWestern Energy – Request for Permanent Waiver to the Requirements of 49 CFR §192.285(c) – Discuss and act on NorthWestern Energy's request for a special permit that modifies the compliance requirement of 49 CFR §192.285(c). (11/6/08)
3. D2007.12.147 – City of Great Falls, Benefis Healthcare System and Electric City Power, Inc. – Complaint and Request for Declaratory Ruling – Discuss and act on request for oral argument. (11/6/08)
4. D2008.7.74 - Montana-Dakota Utilities Co. – Application for Approval of Revisions to its Power Purchase Time Differentiated Rate 93 Tariff to Reflect Updated Costs – Seek interim approval of updated QF Rate 93. (11/6/08)
5. L-08.10.1-RUL – Annual update to PSC pipeline safety rules and update to electric utility rule – Discuss and act on draft rulemaking notice. (11/6/08)
6. Out of state staff travel – Obtain approval for: 1) Jim to attend a telecommunications law CLE in Denver in December, and 2) Brian and Steve to attend the Dynamic Pricing Workshop sponsored by the Midwest Demand Response Initiative on December 8, 2008, in Chicago. (11/6/08)

**Other Meetings**

**11/6/08 7:00 p.m. (Fairmont Hot Springs – no web audio feed) - NorthWestern Energy has invited Commissioners to speak at a NWE leadership meeting. (NWE's invitation letter is available upon request.) One or more Commissioners plan to attend. It is anticipated that the Commissioner(s) will make brief remarks,**

**and may answer questions. The Commissioner(s) will not consider, discuss, speak on, or answer questions on, contested case issues that are currently pending before the Commission. The Commissioners may speak on general regulatory and energy issues of interest to NWE and/or the Commissioners. That part of the NWE leadership meeting at which Commissioner(s) are in attendance will be open to the public.**

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

**Notice Items** All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. CenturyTel N2008.10.124 (Scott)

On October 29, 2008, CenturyTel filed Advice 08-05. The purpose of this filing is to add a new service offering called Business Unlimited. The Company is requesting an effective date of November 23, 2008.

**Protective Orders – Notice Items** The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

1. NorthWestern Energy (NWE) D2008.8.95 (AI)

On October 17, 2008, NWE filed a motion for protective order to govern access to certain confidential information requested in this docket.

Specifically, NWE seeks protection for (A) all internal memos, papers, reports, correspondence of any kind, recommendations, presentations, cost analyses and work papers related to the comparison of the responses of the turbine manufacturers to the RFP (Generator Bid Responses) and (B) all documents and analysis prepared or conducted by NorthWestern or its RFP administrator in analyzing, evaluating, and rating the Generator Bid Responses. NWE asserts that the information is trade secret.

**Protective Orders – Information Items** The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

**Information Items** All items identified below are for information only.

**New Filings Received in Past Week**

D2008.10.123 – HLH, LLC – Application to Implement Increased Rates for Water Service in its Big Sky, Montana, Service Area

N2008.10.124 – CenturyTel of Montana, Inc. – Advice 08-05, Add New Service Offering, “Business Unlimited”